

VOSH PROGRAM DIRECTIVE: 12-015K

ISSUED: 01 September 2012

SUBJECT: Standards Improvement Project - Phase III (SIP - III) Parts 1910, 1915, 1917, 1918, 1919, and 1926

Purpose The directive transmits non-substantive, housekeeping, technical, repetitive and error correction provisions as well as updates to consensus or industry standards for VOSH Standards.

This latest update transmits revisions which continue a multi-year project launched by federal OSHA in 1998 to update or remove outdated, duplicative, inconsistent references in its regulatory standards to improve clarity and consistency with standards that have been promulgated more recently.

This Program Directive is an internal guideline, not a statutory or regulatory rule, and is intended to provide instructions to VOSH personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.

Scope This directive applies to all VOSH personnel.

References

CHANGE XIII:	76 FR 80735 (December 27, 2011);
CHANGE XII:	76 FR 33590 (June 8, 2011);
CHANGE XI:	74 FR 46350 (September 9, 2009);
CHANGE X:	71 FR 16669 (April 3, 2006);
CHANGE IX:	72 FR 71061 (December 14, 2007);
CHANGE VIII:	71 FR 41127 (July 20, 2006);
CHANGE VII:	71 FR 16669 (April 3, 2006);
CHANGE VI:	70 FR 76979 (December 29, 2005);
CHANGE V:	70 FR 53925 (September 13, 2005);
CHANGE IV:	70 FR 1111 (January 5, 2005);
CHANGE III:	63 FR 33450 (June 18, 1998) and OSHA Memorandum 98-2 (October 7, 1998);
CHANGE II:	61 FR 31427 (June 20, 1996); and
CHANGE I:	61 FR 9230 (March 7, 1996).

Cancellation VOSH Program Directive 12-015J (December 1, 2011).

Effective Dates

CHANGE XIII:	September 15, 2012
CHANGE XII:	January 15, 2012.
CHANGE XI:	February 15, 2010.
CHANGE X:	November 15, 2009.
CHANGE IX:	June 1, 2008.
CHANGE VIII:	March 21, 2007.
CHANGE VII:	August 1, 2006.
CHANGE VI:	June 15, 2006.

CHANGE V: June 15, 2006.
CHANGE IV: August 15, 2005.
CHANGE III: January 1, 1999.
CHANGE II: December 15, 1996.
CHANGE I: September 1, 1996.

Action

Directors and Managers shall ensure that the guidelines in this directive are followed and that Compliance Officers are familiar with the contents of the standard.

Expiration Date

Not Applicable.

Courtney M. Malveaux

Commissioner

Distribution: Commissioner of Labor and Industry
Assistant Commissioner - Programs
VOSH Directors and Managers
Legal Support and IMIS Support Staffs

Cooperative Programs Director and Manager
VOSH Compliance & Cooperative Programs Staff
OSHA Region III & Norfolk Area Offices

I. Background and Summary.

CHANGE XIII: Federal OSHA has made non-substantive technical amendments to and has corrected typographical errors in 16 different General Industry, Construction and Shipyard Employment standards. The technical amendments include updating or revising cross-references and updating OSHA recordkeeping log numbers.

These amendments do not affect the substantive requirements or coverage of those standards, do not modify or revoke existing rights or obligations, and do not establish new rights or obligations (76 FR 80736). The revisions are as follows:

- A. **PROCESS SAFETY MANAGEMENT OF HIGHLY HAZARDOUS CHEMICALS, §1910.119.** In Appendix A, the chemical entry entitled “Oleum” appeared with an incorrect Chemical Abstracts Service (CAS) number of 8014-94-7. OSHA corrected the CAS number for Oleum to read: 8014-95-7.
- B. **HAZARDOUS WASTE OPERATIONS AND EMERGENCY RESPONSE, §1910.120.** In the definition of “hazardous substance” in paragraph (a)(3), OSHA referred to “Section 101(14)” of the Comprehensive Environmental Response Compensation, and Liability Act (CERCLA) (42 U.S.C.9601). After OSHA published the standard, Congress redesignated Section 101(14) of CERCLA as Section 103(14). OSHA has revised the definition to include the new citation.
- C. **PERMIT-REQUIRED CONFINED SPACES, §1910.146.** OSHA corrected a cross-reference in paragraph (d)(4)(vi) from “(d)(3)(iv)” to “(d)(3)(v)”. Paragraph (d)(4)(vi) now reads: “Barriers and shields as required by paragraph (d)(3)(v) of this section”.
- D. **MEDICAL SERVICES AND FIRST AID (§§1910.151 AND 1926.50).** OSHA updated all references to the Recordkeeping forms in other OSHA standards referred to in the Appendices to §§1910.151 and 1926.50.
- E. **SERVICING MULTI-PIECE AND SINGLE-PIECE RIM WHEELS, §1910.177.** Based on discussions with representatives from the tire, rubber, and wheel manufacturing industries, OSHA determined that new charts addressing current hazards in the tire-servicing industry were necessary because the new charts summarize updated information from many sources, including the National Highway Transportation Safety Administration (NHTSA) and OSHA charts, rim manuals, and the OSHA standard.

OSHA also revised the content of its two existing charts: “The Multi-piece Rim Matching Chart” and the Demounting and Mounting Procedures for Truck/Bus Tires” chart and amended the definition of “charts” in paragraph (b) of the standard to refer to the new U.S. Department of Labor charts (i.e., manuals or posters), or to any other information or poster that provides at least the same instructions, safety precautions, and other information contained in OSHA’s charts, and that is applicable to the types of rim wheels the employer is servicing. Additionally, Appendix B was revised to provide current ordering information for the new OSHA manuals.

- F. **MECHANICAL POWER PRESSES, §1910.217.** OSHA amended the requirement that employers submit to OSHA reports of employees injured while operating such presses. Paragraph (g)(1) and (2) specify that employers must submit the reports to federal OSHA or, for state-plan states, the state agency administering the plan. OSHA revised this provision to include the new title of the federal OSHA office designated to receive the reports, and provided an electronic address for submitting reports.

- G. **PULP, PAPER, AND PAPERBOARD MILLS, §1910.261.** OSHA corrected three errors involving incorrect cross references in this standard. It removed the references to paragraphs (b)(3), (b)(1), and (b)(4) in existing paragraphs (e)(12)(i), (e)(12)(ii), and (e)(12)(iii), respectively, and replaced these references with the correct references (29 CFR 1910.23, 29 CFR 1910.219, and paragraph (b)(1) of 29 CFR 1910.261, respectively).
- H. **SAWMILLS, §1910.265.** OSHA corrected a typographical error in a cross reference in paragraph (e)(2)(iv) of this standard. The cross reference was to a standard which establishes safety requirements for twin circular-head saw rigs. The cross reference to paragraph (e)(2)(iv) should have been to paragraph (e)(2)(iii), which specifies requirements for singular circular-head saws.
- I. **GRAIN HANDLING FACILITIES, §1910.272.** OSHA inserted a note in paragraph (a) of the standard stating that it will enforce the standard, as it applies to the marine terminal industry only, consistent with a 1985 OSHA compliance directive.
- J. **COMMERCIAL DIVING OPERATIONS, §1910.440.** OSHA revised §1910.440(b)(4) by removing the record-transfer requirement for accuracy and to be consistent with Phase III of the Standards Improvement Project (SIP III). SIP III was the third part of an ongoing OSHA project to remove or revise individual requirements within its rules that are confusing, outdated, duplicative or inconsistent. SIP III was adopted by the Safety and Health Codes Board on October 13, 2011, with an effective date of January 15, 2012.
- K. **13 CARCINOGENS (4-NITROBIPHENYL, ETC.), §1910.1003.** In paragraph (d)(2) of §1910.1003, OSHA deleted two cross references to paragraph (f), concerning reporting requirements. Paragraph (f) previously had been deleted by OSHA in the second Standards Improvement Project rulemaking (70 FR 1116).
- L. **LEAD, §§1910.1025 AND 1926.62.** For the sake of consistency and accuracy among action levels across all OSHA Lead standards in all industries, and in keeping with the original purpose specified in the Standards Improvement Project (SIP III) rulemaking (*see § J, above*), OSHA replaced the term “exceeds” in §§1910.1025(j)(2)(iv)(B) and 1926(j)(2)(iv)(B) with the phrase “is at or above” to designate the actionable blood-lead levels (i.e., 40 µg/dl) at which employers must notify their employees that the standard requires temporary medical removal with medical-removal protection benefits when an employee’s blood-lead level is at or above a specified level.
- M. **BLOODBORNE PATHOGENS, §1910.1030.** When OSHA revised the recordkeeping rule, it reordered many sections of the Recordkeeping rule, including §1904.6, which became §1904.33. Therefore, OSHA updated a cross reference in paragraph (i)(5)(iii) of the §1910.1030 from 29 CFR 1904.6 to 29 CFR 1904.33.
- N. **AIR CONTAMINANTS, §1915.1000.** In four places in paragraph (d)(1)(ii), the Air Contaminants standard for shipyard employment incorrectly referred to the abbreviation for “parts per million” as “p/m”. OSHA corrected the abbreviation to read “ppm.”

The Safety and Health Codes Board adopted these corrections and technical amendments to multiple standards on May 24, 2012, with an effective date of September 15, 2012.

CHANGE XII: Federal OSHA amended its general industry, maritime, construction, and agricultural standards. The ongoing Standards Improvement Project (SIP) removes or revises individual requirements with rules that are confusing, outdated, duplicative, or inconsistent.

Federal OSHA identified several requirements for this phase of the Standards Improvement Project, including rigging, NIOSH records, and training certifications for improvement based on OSHA's review of its standards, suggestions and comments from the public, or recommendations from the Office of Management and Budget (OMB). The Standards Improvement Project - Phase III (SIP-III):

- Revised the title of the Means of Egress standard to “Exit Routes and Emergency Planning” to more accurately represent the requirements of the standard;
- Updated the Means of Egress provisions by adding another compliance alternative to the exit routes standards so employers can comply with the exit-route provisions of either the National Fire Protection Association 2009 Life Safety Code or the International Code Council 2009 International Fire Code;
- Removed requirements from several general industry substance-specific standards for employers to prepare and maintain training-certification records because other effective means exist to verify employee training (e.g., employer observation of employees, employee interviews by OSHA compliance officers);
- Made seven revisions related to respiratory protection standard at §1910.134, including:
 - Updating and clarifying a provision in the Respiratory Protection standard that after-market breathing-gas containers not meeting NIOSH approval are not acceptable for use (§1910.134(i)(9));
 - Revising the medical evaluation questionnaire, Appendix C, Part A, Section 2, in the Respiratory Protection standard by replacing the word “fits” with the less offensive word “seizures”;
 - Clarifying that compliance with Appendix D of the Respiratory Protection standard, which contains information for employees using respirators when not required to do so under the standard, is then mandatory if the employee chooses to use a respirator;
 - Aligning air cylinder testing requirements for self-contained breathing apparatuses (§1910.134(i)(4)(I)) with federal Department of Transportation regulations;
 - Revising the Asbestos standard for shipyards (§1915.1001) and construction (§1926.1101) to correct omissions and require the implementation of respiratory protection programs;
 - Reinstating the original respirator-use requirements in paragraph (c)(4)(iv) of §1910.1003 (full facepiece, supplied-air respirators) for workers exposed to four of the 13 carcinogen standards that had been inadvertently omitted; and
 - Removing the requirement for employers to keep fit-test records from the 1,3 – Butadiene standard for employees because this requirement is redundant with provisions of §1910.1051(m)(3).
- Made two revisions under Subpart J, General Environmental Controls:
 - Revising and updating the definition of the term “potable water” in the Sanitation standard for general industry (§1910.141(a)(2)); and
 - Revising the Bloodborne Pathogens standard by removing the word “hot” from the definition of “handwashing facilities” at §1910.1030 (b) in the phrase “hot air drying machines,” which

permits employers to use new technologies (e.g., high-velocity air blowers) that do not involve “hot” or “warm” air in the workplace. This revision applies to sanitation standards for general industry (§1910.141(d)(2)(iv)) and marine terminals (§1917.127(a)(1)(iii)).

- Updated OSHA’s standards regulating slings for general industry (§1910.184); shipyard employment (§§1915.112, 1915.113, and 1915.118) and construction (§1926.251) by removing outdated tables that specify safe working loads and require, instead, that employers use the safe work-load information imprinted on a permanently affixed identification marking or tag. This revision is consistent with current ANSI standards.
- Removed two obsolete recordkeeping requirements in §1910.440(b)(3)(I) and (b)(5) in Subpart T, Commercial Diving Operations, because the standard no longer requires medical examinations, and corrected a typographical error in §1910.440 (b)(4));
- Removed several standards in Subpart Z, Toxic and Hazardous Substances, that required employers to transfer medical records to the National Institute for Occupational Safety and Health (NIOSH) because NIOSH found that the records were not useful for research purposes and were expensive to store and maintain;
- Revised the monitoring requirements under the lead standards for general industry (§1910.25) and construction (§1926.62) to require employers to provide follow-up blood sampling tests when an employee’s blood lead level is at or above the numerical criterion for medical removal.
- Removed an outdated medical recommendation in its standard on occupational exposure to hazardous chemicals in laboratories (§1910.1450);
- Revised a sentence to better clarify the original purpose of the shipyard confined-space standard, i.e, that OSHA does not consider abrasive blasting of the external surface of the vessel (the hull) to be hot work (§1915.11(b));
- Added a definition to the longshoring standards of the term “ship’s stores” (§1917.2) to eliminate confusion regarding the meaning of this term; and
- Updated the requirement for inspecting a vessel’s cargo-handling gear consistent with ILO Convention 152 (§§1919.6, 1919.11, 1919.12, and 1919.15). This revision requires gear to be thoroughly examined before initial use, as well as every 12 months, and re-tested every five years, instead of every four years.

The Safety and Health Codes Board adopted this final rule for the Standards Improvement Project - Phase III on October 13, 2011, with an effective date of January 15, 2012.

CHANGE XI: Federal OSHA has been undertaking a series of projects to update its standards to incorporate the latest versions of national consensus and industry standards. These projects include updating or revoking national consensus and industry standards referenced in existing OSHA standards, updating regulatory text of standards adopted directly by OSHA from the language of outdated consensus standards and, when appropriate, replacing specific references to outdated national consensus and industry standards with performance-oriented requirements.

Federal OSHA issued this final rule to revise the personal protection equipment (PPE) sections of its general industry, shipyard employment, longshoring, and marine terminals standards regarding requirements for eye and face protective devices, head protection, and foot protection. OSHA updated the references in its regulations to recognize more recent editions of the applicable national consensus standards, and deleted

editions of the national consensus standards that PPE must meet if purchased before a specified date. Additionally, federal OSHA amended paragraph (a)(5)(v)[a] in 29 CFR 1910.94 that requires safety shoes to comply with a specific American National Standards Institute (ANSI) standard. It also amended paragraph (b)(2)(ii)(I) in 29 CFR 1910.252 which requires filter lenses and plates in eye-protective equipment to meet a test for transmission or radiant energy specified by another ANSI standard. In amending these paragraphs, federal OSHA will require this safety equipment to comply with the applicable PPE design provisions in 29 CFR 1910, subpart I.

The Safety and Health Codes Board adopted this revised final rule for Updating OSHA Standards Based on National Consensus Standards; Personal Protective Equipment on January 14, 2010, with an effective date of April 15, 2010.

CHANGE X: This change reflects a completion of the adoption of the amendment to various safety and health standards in need of corrections, housekeeping changes or technical amendments, which was published by federal OSHA in 71 FR 16669 on April 3, 2006 (see CHANGE VII, below), and adopted by the Safety and Health Codes Board (“Board”) on June 19, 2006, with an effective date of September 1, 2006. This amendment included updating references from existing OSHA standards, but did not affect the substantive requirements or coverage of the standards involved, modify or revoke existing rights and obligations, or establish new rights and obligations.

During its June 19, 2006 meeting, the Board adopted most of the various corrections and technical amendments to Parts 1910 – General Industry, 1915 – Shipyard Employment, and 1926 – Construction, as published in 71 FR 16669 on April 3, 2006. The Board chose to continue enforcing the old federal standard, §1910.20, and did not adopt any amendments that substituted “§1910.1020, Access to Employee Exposure and Medical Records” for “§1910.20, Access to Employee Exposure and Medical Records” which appeared in items 1, 34 and 36 of the Federal Register [71 FR 16669 (April 3, 2006)]. The Board also did not adopt similar changes to Part 1913, which also revised references from “§1910.20” to the current “§1910.1020”.

NOTE: In 1988, federal OSHA revised and renumbered Access to Employee Exposure and Medical Records, §1910.20, as §1910.1020. At that time in 1988, the Safety and Health Codes Board chose to continue the enforcement of the old federal standard, §1910.20, and did not adopt the revisions which included the renumbering to §1910.1020.

As a result of a recent periodic review of regulations, VOSH noticed numerous differences between the Virginia unique regulation for Access to Employee Exposure and Medical Records, 16 VAC 25-80, and the federal OSHA regulation, 29 CFR 1910.1020. VOSH acknowledged that there were numerous additional requirements in the current federal regulation which highlight OSHA’s significant effort to solve the regulatory dilemma caused by seeking to accommodate the competing interests between the need for chemical identity disclosure for medical treatment of a patient’s health problems, which may be a result of chemical exposure, and trade secret protection for the employer that, once lost, cannot be fully recaptured.

Additionally, in §1913, “Rules of Agency Practice and Procedure Concerning OSHA Access to Employee Medical Records” under item 34 [71 FR at 16674], paragraph (n) was removed because it specified an effective date that expired over 20 years ago.

On April 16, 2009, the Board repealed its Virginia unique version of Access to Employee Exposure and Medical Records (16 VAC 25-80) and adopted the federal regulation, 29 CFR 1910.1020, with an effective date of August 20, 2009.

CHANGE IX: This direct final rule is a continuation of federal OSHA’s ongoing effort to update references to consensus and industry standards used throughout its rules. The direct final rule and the accompanying Notice

of Proposed Rule Making (NPRM) (72 FR 71091) address welding definitions; abrasive wheel specification; floor and wall openings, railings, and toeboards; marking of portable compressed gas cylinders; and spray finishing.

Specifically, in this direct final rule, federal OSHA amended subparagraph (c)(1)(iv) of its spray-finishing standard at 29 CFR 1910.107, which incorrectly refers to the requirements for powder-coating equipment in “paragraph (c)(1) of this section.” The amendment at 29 CFR 1910.107(c)(1)(iv) will identify the correct provision for regulating powder-coating equipment.

Additionally, federal OSHA removed the reference to American Welding Society (“AWS”) standard A3.0-1969 (“Terms and Definitions”) in paragraph (c) of 29 CFR 1910.251 (“Definitions”). Federal OSHA determined that after over 35 years of experience with these terms, employers and employees performing welding, cutting, and brazing operations understand their meaning when applying the substantive requirements in 29 CFR 1910.252-1910.255.

Federal OSHA removed the reference to the ANSI standards in the following standards:

- 1910.68(b)(4) and (b)(8)(ii);
- 1910.94(b)(5)(i)(a) and replaced it with a cite to 1910.215, Tables O-1 and O-9;
- 1910.94(c)(5)(iii)(e);
- 1910.103(b)(1)(i)(c), 1910.110(b)(5)(iii) and 1910.111(e)(1) and replaced them with a cite to paragraph (b)(1)(ii) of 1910.253;
- 1910.144(a)(1)(ii);
- 1910.243(d)(1)(i) and replace it with a cite to the design requirements specified by 1910.243(d)(2); and
- 1910.261(c)(15)(ii), (e)(4), (g)(13)(i), (h)(1), (j)(4)(iii), (j)(5)(i), (k)(6), (k)(13)(i), and (k)(15) and replaced them with a cite to 1910.23.

In the following standards, federal OSHA removed the reference to the NFPA standard:

- 1910.94(c)(1)(ii);
- 1910.94(c)(3)(i);
- 1910.94(c)(3)(i)(a);
- 1910.94(c)(3)(iii);
- 1910.94(c)(3)(iii)(a); and
- 1910.94(c)(3)(5)(i)

The Safety and Health Codes Board adopted this direct final rule for Updating OSHA Standards Based on National Consensus Standards on February 28, 2008, with an effective date of June 1, 2008.

CHANGE VIII: Federal OSHA published corrections and technical amendments to its direct final rule on Roll-over Protective Structures (ROPS) in construction, §1926.1002, and agriculture, §1928.53, on December 29, 2005. No adverse comments were received. In addition to editorial corrections, federal OSHA made technical changes to improve the consistency among the figures used in the standards and replaced a number of figures with new computer-generated images.

The Safety and Health Codes Board adopted these corrections and technical amendments to the final rule for Roll-over Protective Structures for the Construction Industry and the Agriculture Industry on December 6, 2006, with an effective date of March 21, 2007.

CHANGE VII: As part of the ongoing review of its regulations, VOSH adopted federal OSHA’s amendment to various safety and health standards in need of corrections, housekeeping changes or technical amendments.

The revisions do not affect the substantive requirements or coverage of the standards involved, modify or revoke existing rights and obligations, or establish new rights and obligations. The revisions include updating references and removing obsolete effective dates and startup dates from existing OSHA standards.

VOSH, however, did not adopt the changes in items 1, 33 and 34 of the attached *Federal Register* pages (71 FR 16672 *et seq.*) The changes covered under items 1, 33 and 34 update references from what was 29 CFR 1910.20 which, in 1988, the Board chose to continue the enforcement of the old federal standard, §1910.20, dealing with medical records, and it did not adopt the revisions and section renumbering to 29 CFR 1910.1020. VOSH also did not request the changes to Part 1913 as it too changes §1910.20 references to the current federal 29 CFR 1910.1020, which is not in effect in Virginia.

The Safety and Health Codes Board adopted this revised final rule on June 19, 2006, with an effective date of September 1, 2006.

CHANGE VI: On December 29, 2005, in a separate action, OSHA reinstated its originally developed Roll-Over Protective Structures (ROPS) standards for both construction and agriculture to rectify several substantive differences between the national consensus standards and the original pre-1996 OSHA-developed ROPS standards.(70 FR 76979) Minor non-substantive changes to improve readability and understanding were also made.

Federal OSHA revoked three references to outdated national consensus standards and two references to industry standards. By eliminating the outdated references, OSHA will clarify employer obligations under the applicable OSHA standards and reduce administrative burdens on employers and OSHA.

These standards are used to protect operators of wheel-type tractors and restored its originally developed standards.

In the Construction standards, OSHA removed paragraphs (c) through (i) and (k) from §1926.1002, which addressed testing of protective frames for wheel-type tractors used in construction, and replaced them with a reference to Society of Automotive Engineers (“SAE”) consensus standard J334a-1970 in §1926.1002(a)(1). Also, OSHA reinstated the impact-testing option provided by the original 29 CFR 1926.1002(c)(1), allowing the regulated community to use either a laboratory test or a field test for impact testing, while the SAE standard requires both tests.

OSHA revised §1926.1003, specifying testing requirements for overhead protection used with tractors, by removing paragraphs (c) through (g) and substituted them with a reference to SAE consensus standard J167-1970 in paragraph (a)(1).

In the Agriculture standards, OSHA deleted §§1928.52 and 1928.53, as well as Appendix B to subpart C of 29 CFR part 1928. Those deleted standards specified procedures for testing protective frames and enclosures for wheel-type tractors used in agriculture, respectively, while Appendix B provided diagrams depicting these testing procedures. In place of those requirements, OSHA referenced SAE consensus standard J334a-1970 and American Society of Agricultural Engineers (“ASAE”) consensus standard S306.3-1974 for protective frames, and SAE consensus standard J168-1970 and ASAE consensus standard S336.1-1974 for protective enclosures, in paragraph (b)(1) of revised 29 CFR 1928.51.

For both protective frames and protective enclosures, the testing conducted under the ASAE and SAE standards adopted in 1996 generally is consistent with the testing requirements of the original OSHA standards. However, OSHA found several substantive differences between the original OSHA standards and the consensus standards (for testing both protective frames and protective enclosures) that replaced them.

Consequently, this 2006 amendment reinstates the testing exemption found in the original OSHA ROPS standards and provides an additional cold-temperature testing option found in the original OSHA standards but not available in the SAE standards. OSHA also made minor non-substantive changes.

On March 7, 2006, the Safety and Health Codes Board adopted this revised final rule, with an effective date of June 15, 2006.

CHANGE V: On November 24, 2004, OSHA published a notice in the *Federal Register* announcing its overall project to update OSHA standards that are based on national consensus standards (69 FR 68283). Also, on that same day, federal OSHA published in the *Federal Register* a direct final rule (69 FR 68712) which was later withdrawn on February 18, 2005. (70 FR 8291) The Board adopted this federal change at its meeting on March 7, 2006, with an effective date of June 15, 2006.

These revisions are part of OSHA's overall effort to update its standards that reference, or that include language taken directly from, outdated consensus standards.

OSHA removed outdated references in the following standards:

1. 29 CFR 1910 Subpart A – General (§1910.6);
2. Subpart H – Hazardous Materials [§1910.106(b)(1)(iii)(a)(2)];
3. Subpart J – General Environmental Controls [§1910.142(c)(4)] – (Temporary labor camps, drinking fountains);
4. Subpart P – Hand and Portable Powered Tools and Other Hand-Held Equipment [§1910.243 (e)(1)(i)];
5. Subpart Q – Welding, Cutting and Brazing [§1910.254(d)(1)];
6. Subpart R – Special Industries [§1910.265(c)(31)(i) – Sawmills].

CHANGE IV: In Phase II of the Standards Improvement Project, federal OSHA removed and revised 40 health provisions in 23 OSHA standards in general industry, shipyard employment, and construction that were outdated, duplicative, unnecessary, or inconsistent, or could be clarified or simplified by being written in plain language.

In regard to “inconsistent” standards, federal OSHA specifically revised a number of its older standards (vinyl chloride, acrylonitrile, coke oven emissions, arsenic, and DBCP) to be consistent with the frequencies of exposure monitoring, medical surveillance, and compliance plan updates established in the majority of more recently promulgated standards. (70 FR 1113)

The Board adopted Phase II of the Standards Improvement Project at its meeting on May 24, 2005, with an effective date of August 15, 2005.

CHANGE III: In June 1998, federal OSHA published Phase I of the Standards Improvement Project which set forth changes to a number of health and safety provisions in 1910 and 1926 that will revise or eliminate duplicative, inconsistent or unnecessary regulatory requirements without diminishing employee protections. Substantive changes include reducing the frequency of required chest x-rays and eliminating sputum-cytology examinations for workers covered by the coke oven and inorganic arsenic standards, and changing the emergency-response provisions of the vinyl chloride standard. This federal final rule was adopted by the Safety and Health Codes Board on October 19, 1998, with an effective date of January 1, 1999.

CHANGE II: OSHA issued a final rule which addressed minor clarifications, corrections, and technical amendments to OSHA standards. Most of the changes made in the final rule affect Subpart Z (Toxic and

Hazardous Substances) of Parts 1910, 1915 and 1926. Duplicate health provisions from the shipyard and construction standards were eliminated and replaced with cross-references to the identical text in the general industry standards. The new final rule does not make any substantive changes to the requirements of the OSHA standards. This final rule was adopted by the Safety and Health Codes Board on September 30, 1996, with an effective date of December 15, 1996.

Note: Since the Safety and Health Codes Board adopted a Virginia unique regulation on the Access to Employee Exposure and Medical Records, § 1910.20, this section was not impacted by these technical amendments.

CHANGE I: Following a line-by-line review of its standards published in Title 29 of the Code of Federal Regulations (29 CFR), federal OSHA identified a number of sections and provisions of those standards which could be deleted, revised, clarified or reorganized throughout Parts 1910, 1915, 1926 and 1928. No changes to the substantive requirements of the affected standards were made. On June 17, 1996, the Safety and Health Codes Board adopted these revisions, with an effective date of September 1, 1996.

Attachment: **CHANGE XIII:** 76 FR 80735 (December 27, 2011)

CHANGES I - XII: None. See General Industry, Shipyard Employment and Construction Industry Standards

E-Attachments: **CHANGE XIII:** http://www.osha.gov/FedReg_osha_pdf/FED20111227.pdf

CHANGE XII: http://www.osha.gov/FedReg_osha_pdf/FED20110608.pdf

CHANGE XI: http://www.osha.gov/FedReg_osha_pdf/FED20090909.pdf

CHANGE X: http://www.osha.gov/FedReg_osha_pdf/FED20060403.pdf

CHANGE IX: http://www.osha.gov/FedReg_osha_pdf/FED20071214.pdf

CHANGE VIII: http://www.osha.gov/FedReg_osha_pdf/FED20060720.pdf

CHANGE VII: http://www.osha.gov/FedReg_osha_pdf/FED20060403.pdf

CHANGE VI: http://www.osha.gov/FedReg_osha_pdf/FED20051229.pdf

CHANGE V: http://www.osha.gov/FedReg_osha_pdf/FED20051229.pdf

http://www.osha.gov/FedReg_osha_pdf/FED20050913.pdf

**Corrections and Technical Amendments
to Multiple Standards**

As Adopted by the

Safety and Health Codes Board

Date: May 24, 2012



VIRGINIA OCCUPATIONAL SAFETY AND HEALTH PROGRAM

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Effective Date: 15 September 2012

16VAC25-90-1910.119, Process Safety Management of Highly Hazardous Chemicals, §1910.119
16VAC25-90-1910.120, Hazardous Waste Operations and Emergency Response, §1910.120
16VAC25-90-1910.146, Permit-Required Confined Spaces, §1910.146
16VAC25-90-1910.151, Medical Services and First Aid, §1910.151
16VAC25-175-1926.50, Medical Services and First Aid, §1926.50
16VAC25-90-1910.177, Servicing Multi-Piece and Single-Piece Rim Wheels, §1910.177
16VAC25-90-1910.217, Mechanical Power Presses, §1910.217
16VAC25-90-1910.261, Pulp, Paper, and Paperboard Mills, §1910.261
16VAC25-90-1910.265, Sawmills, §1910.265
16VAC25-90-1910.272, Grain Handling Facilities, §1910.272
16VAC25-90-1910.440, Commercial Diving Operations, §1910.440
16VAC25-90-1910.1003, 13 Carcinogens (4-Nitrobiphenyl, etc.), §1910.1003
16VAC25-90-1910.1025, Lead (General Industry), §1910.1025
16VAC25-175-1926.62, Lead (Construction), §1926.62
16VAC25-90-1910.1030, Bloodborne Pathogens, §1910.1030
16VAC25-100-1915.1000, Air Contaminants, (Shipyard Employment), §1915.1000

When the regulations, as set forth in the Corrections and Technical Amendments to Multiple Standards, are applied to the Commissioner of the Department of Labor and Industry and/or to Virginia employers, the following federal terms shall be considered to read as below:

Federal Terms

VOSH Equivalent

29 CFR

VOSH Standard

Assistant Secretary

Commissioner of Labor and Industry

Agency

Department

December 27, 2011

September 15, 2012

STANDARDS IMPROVEMENT PROJECT - PHASE III; FINAL RULE

As Adopted by the

Safety and Health Codes Board

Date: October 13, 2011

VIRGINIA OCCUPATIONAL SAFETY AND HEALTH PROGRAM

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Effective Date: January 15, 2012

16 VAC25-90-1910.33	16 VAC 25-90-1910.34	16 VAC25-90-1910.35
16 VAC25-90-1910.36	16 VAC25-90-1910.132	16 VAC25-90-1910.134
16 VAC25-90-1910.141	16 VAC25-90-1910.184	16 VAC25-90-1910.440
16 VAC25-90-1910.1001	16 VAC25-90-1910.1003	16 VAC25-90-1910.1017
16 VAC25-90-1910.1018	16 VAC25-90-1910.1020	16 VAC25-90-1910.1025
16 VAC25-90-1910.1027	16 VAC25-90-1910.1028	16 VAC25-90-1910.1029
16 VAC25-90-1910.1030	16 VAC25-90-1910.1043	16 VAC25-90-1910.1044
16 VAC25-90-1910.1045	16 VAC25-90-1910.1047	16 VAC25-90-1910.1050
16 VAC25-90-1910.1051	16 VAC25-90-1910.1450	16 VAC25-100-1915.112
16 VAC25-100-1915.113	16 VAC25-100-1915.118	16 VAC25-100-1915.152
16 VAC25-100-1915.1001	16 VAC25-120-1917.2	16 VAC25-120-1917.127
16 VAC25-130-1918.2	16 VAC25-130-1918.95	16 VAC25-137-1919.6
16 VAC25-137-1919.11	16 VAC25-137-1919.12	16 VAC25-137-1919.15
16 VAC25-137-1919.18	16 VAC25-175-1926.60	16 VAC25-175-1926.62
16 VAC25-175-1926.251	16 VAC25-175-1926.1101	16 VAC25-175-1926.1127

Standards Improvement Project - Phase III; Final Rule, Parts 1910, 1915, 1917, 1918, 1919, and 1926

When the regulations, as set forth in the Final Rule for Standards Improvement Project – Phase III, are applied to the Commissioner of the Department of Labor and Industry and/or to Virginia employers, the following federal terms shall be considered to read as below:

Federal Terms

VOSH Equivalent

29 CFR

VOSH Standard

Assistant Secretary

Commissioner of Labor and Industry

Agency

Department

July 8, 2011

January 15, 2012

**PART 1910—OCCUPATIONAL SAFETY
AND HEALTH STANDARDS**

**Subpart H—Hazardous Materials
[Amended]**

■ 1. The authority citation for subpart H of part 1910 continues to read as follows:

Authority: 29 U.S.C. 653, 655, 657; Secretary of Labor's Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), 1-90 (55 FR 9033), 6-96 (62 FR 111), 3-2000 (65 FR 50017), 5-2002 (67 FR 65008), 5-2007 (72 FR 31159), or 4-2010 (75 FR 55355), as applicable; and 29 CFR part 1911.

Sections 1910.103, 1910.106 through 1910.111, and 1910.119, 1910.120, and 1910.122 through 1910.126 also issued under 29 CFR part 1911.

Section 1910.119 also issued under Pub. L. 101-549, reprinted at 29 U.S.C. 655 Note.

Section 1910.120 also issued under 29 U.S.C. 655 Note, and 5 U.S.C. 553.

■ 2. In Appendix A to § 1910.119, revise the entry entitled "Oleum" to read as follows:

§ 1910.119 Process safety management of highly hazardous chemicals.

* * * * *

**Appendix A to § 1910.119—List of
Highly Hazardous Chemicals, Toxics
and Reactives (Mandatory)**

* * * * *

Chemical name	CAS *	TQ **
Oleum (65% to 80% by weight; also called Fuming Sulfuric Acid)	8014-95-7	1,000
* * *	* * *	* * *

■ 3. In paragraph (a)(3) of § 1910.120, revise paragraph (A) of the definition of "Hazardous substance" to read as follows:

§ 1910.120 Hazardous waste operations and emergency response.

* * * * *

(a) * * *

(3) * * *

Hazardous substance * * *

(A) Any substance defined under section 103(14) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) (42 U.S.C. 9601).

* * * * *

Subpart J—General Environmental Controls

- 4. Revise the authority citation for subpart J to read as follows:

Authority: 29 U.S.C. 653, 655, 657; Secretary of Labor's Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), 1-90 (55 FR 9033), 6-96 (62 FR 111), 3-2000 (65 FR 50017), 5-2007 (72 FR 31159), or 4-2010 (75 FR 55355), as applicable.

Sections 1910.141, 1910.142, 1910.145, 1910.146, and 1910.147 also issued under 29 CFR part 1911.

- 5. In § 1910.146, revise paragraph (d)(4)(vi) to read as follows:

§ 1910.146 Permit-required confined spaces.

* * * * *

(d) * * *

(4) * * *

(vi) Barriers and shields as required by paragraph (d)(3)(v) of this section.

* * * * *

Subpart K—Medical and First Aid

- 6. The authority citation for subpart K continues to read as follows:

Authority: 29 U.S.C. 653, 655, 657; Secretary of Labor's Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), 1-90 (55 FR 9033), 6-96 (62 FR 111), 3-2000 (65 FR 50017), or 4-2010 (75 FR 55355), as applicable, and 29 CFR part 1911.

- 7. In Appendix A to § 1910.151, revise the second paragraph to read as follows:

§ 1910.151 Medical services and first aid.

* * * * *

Appendix A to § 1910.151—First Aid Kits (Non-Mandatory)

* * * * *

In a similar fashion, employers who have unique or changing first-aid needs in their workplace may need to enhance their first-aid kits. The employer can use the OSHA 300 log, OSHA 301 log, or other reports to identify these unique problems. Consultation from the local fire/rescue department, appropriate medical professional, or local emergency room may be helpful to employers in these circumstances. By assessing the specific needs of their workplace, employers can ensure that reasonably anticipated supplies are available. Employers should assess the specific needs of their worksite periodically and augment the first aid kit appropriately.

* * * * *

Subpart N—Materials Handling and Storage

- 8. The authority citation for subpart N of part 1910 continues to read as follows:

Authority: 29 U.S.C. 653, 655, 657; Secretary of Labor's Order No. 12-71 (36 FR

8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), 1-90 (55 FR 9033), 6-96 (62 FR 111), 3-2000 (65 FR 50017), 5-2002 (67 FR 65008), 5-2007 (72 FR 31160), or 4-2010 (75 FR 55355), as applicable; and 29 CFR 1911.

Sections 1910.176, 1910.177, 1910.178, 1910.179, 1910.180, 1910.181, and 1910.184 also issued under 29 CFR part 1911.

- 9-10. In § 1910.177:

■ a. In paragraph (b), revise the definition of "charts"; and

■ b. Revise Appendix B.

The revisions read as follows:

§ 1910.177 Servicing of multi-piece and single-piece rim wheels.

* * * * *

(b) * * *

Charts means the U.S. Department of Labor, Occupational Safety and Health Administration publications entitled "Demounting and Mounting Procedures for Tube-Type Truck and Bus Tires," "Demounting and Mounting Procedures for Tubeless Truck and Bus Tires," and "Multi-Piece Rim Matching Chart." These charts may be in manual or poster form. OSHA also will accept any other manual or poster that provides at least the same instructions, safety precautions, and other information contained in these publications, which is applicable to the types of wheels the employer is servicing.

* * * * *

Appendix B—Ordering Information for the OSHA Charts

The information on the OSHA charts is available on three posters, or in a manual containing the three charts, entitled "Demounting and Mounting Procedures for Tubeless Truck and Bus Tires," "Demounting and Mounting Procedures for Tube-Type Truck and Bus Tires," and "Multi-piece Rim Matching Chart." Interested parties can download and print both the manuals and posters from OSHA's Web site at <http://www.osha.gov/publications> (and type "tire chart" in the search field). However, when used by the employer at a worksite to provide information to employees, the printed posters must be, at a minimum, 2 feet wide and 3 feet long. Copies of the manual also are available from the Occupational Safety and Health Administration (OSHA Office of Publications, Room N-3101, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone: (202) 693-1888; or fax: (202) 693-2498).

Subpart O—Machinery and Machine Guarding

- 11. The authority section citation for subpart O of part 1910 continues to read as follows:

Authority: 29 U.S.C. 653, 655, 657; Secretary of Labor's Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), 1-90 (55 FR 9033), 5-2002 (67 FR

65008), or 4-2010 (75 FR 55355), as applicable; 29 CFR part 1911. Sections 1910.217 and 1910.219 also issued under 5 U.S.C. 553.

- 12. In § 1910.217, revise paragraph (g)(1) and add paragraph (g)(2) to read as follows:

§ 1910.217 Mechanical power presses.

* * * * *

(g) * * *

(1) The employer shall report, within 30 days of the occurrence, all point-of-operation injuries to operators or other employees to either (1) the Director of the Directorate of Standards and Guidance at OSHA, U.S. Department of Labor, Washington, DC 20210 (<http://www.osha.gov/pls/oshaweb/mechanical.html>), or

(2) The State agency administering a plan approved by the Assistant Secretary of Labor for Occupational Safety and Health.

* * * * *

Subpart R—Special Industries

- 13. The authority citation for subpart R of part 1910 continues to read as follows:

Authority: 29 U.S.C. 653, 655, 657; Secretary of Labor's Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), 6-96 (62 FR 111), 5-2007 (72 FR 31159), or 4-2010 (75 FR 55355), as applicable; and 29 CFR part 1911.

- 14. In 1910.261, revise paragraphs (e)(12)(i), (ii), and (iii) to read as follows:

§ 1910.261 Pulp, paper, and paperboard mills.

* * * * *

(e) * * *

(12) * * *

(i) When platforms or floors allow access to the sides of the drums, a standard railing shall be constructed around the drums. When two or more drums are arranged side by side, proper walkways with standard handrails shall be provided between each set, in accordance with the requirements of 29 CFR 1910.23, Guarding floor and wall openings and holes.

(ii) Sprockets and chains, gears, and trunnions shall have standard guards, in accordance with the requirements of 29 CFR 1910.219, Mechanical power-transmission apparatus.

(iii) Whenever it becomes necessary for a workman to go within a drum, the driving mechanism shall be locked and tagged, at the main disconnect switch, in accordance with paragraph (b)(1) of this section.

* * * * *

- 15. In § 1910.265 revise paragraph (e)(2)(iv) to read as follows:

§ 1910.265 Sawmills.

- * * * * *
- (e) * * *
- (2) * * *

(iv) *Twin circular head saws.* Twin circular head saws rigs such as scrag saws shall meet the specifications for single circular head saws in paragraph (e)(2)(iii) of this section where applicable.

* * * * *

■ 16. In 1910.272, amend paragraph (a) by adding a note at the end of the paragraph to read as follows:

§ 1910.272 Grain handling facilities.

- (a) * * *

Note to paragraph (a): For grain-handling facilities in the marine-terminal industry only, 29 CFR 1910.272 is to be enforced consistent with the interpretations in OSHA Compliance Directive 02-00-066, which is available on OSHA's Web page at www.osha.gov.

* * * * *

Subpart T—Commercial Diving Operations

■ 17. The authority citation for subpart T continues to read as follows:

Authority: 29 U.S.C. 653, 655, 657; 40 U.S.C. 333; 33 U.S.C. 941; Secretary of Labor's Order No. 8-76 (41 FR 25059), 9-83 (48 FR 35736), 1-90 (55 FR 9033), 6-96 (62 FR 111), 3-2000 (65 FR 50017), 5-2002 (67 FR 65008), 5-2007 (72 FR 31160), or 4-2010 (75 FR 55355) as applicable, and 29 CFR 1911.

■ 18. In § 1910.440, revise paragraph (b)(4) to read as follows:

§ 1910.440 Recordkeeping requirements.

* * * * *

- (b) * * *

(4) The employer shall comply with any additional requirements set forth at 29 CFR 1910.1020.

* * * * *

Subpart Z—[Amended]

■ 19. The authority citation for subpart Z continues to read as follows:

Authority: 29 U.S.C. 653, 655, and 657; Secretary of Labor's Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), 1-90 (55 FR 9033), 6-96 (62 FR 111), 3-2000 (65 FR 50017), 5-2002 (67 FR 65008), 5-2007 (72 FR 31160), or 4-2010 (75 FR 55355), as applicable, and 29 CFR 1911.

All of subpart Z issued under section 6(b) of the Occupational Safety and Health Act, except those substances that have exposure limits listed in Tables Z-1, Z-2, and Z-3 of 29 CFR 1910.1000. The latter were issued under section 6(a) (29 U.S.C. 655(a)).

Section 1910.1000, Tables Z-1, Z-2, and Z-3 also issued under 5 U.S.C. 553, Section 1910.1000 Tables Z-1, Z-2, and Z-3, but not

under 29 CFR 1911, except for the arsenic (organic compounds), benzene, cotton dust, and chromium (VI) listings.

Section 1910.1001 also issued under 40 U.S.C. 3704 and 5 U.S.C. 553.

Section 1910.1002 also issued under 5 U.S.C. 553, but not under 29 U.S.C. 655 or 29 CFR 1911.

Sections 1910.1018, 1910.1029, and 1910.1200 also issued under 29 U.S.C. 653. Section 1910.1030 also issued under Pub. L. 106-430, 114 Stat. 1901.

Section 1910.1201 also issued under 49 U.S.C. 1801-1819 and 5 U.S.C. 533.

■ 20. Amend § 1910.1003 by:

- a. Revising paragraph (d)(2)(iii); and
- b. Removing paragraph (d)(2)(v) and redesignating paragraphs (d)(2)(vi) as paragraph (d)(2)(v).

The revision reads as follows:

§ 1910.1003 13 Carcinogens (4-Nitrobiphenyl, etc.).

* * * * *

- (d) * * *
- (2) * * *

(iii) Special medical surveillance by a physician shall be instituted within 24 hours for employees present in the potentially affected area at the time of the emergency.

* * * * *

■ 21. In § 1910.1025, revise paragraph (j)(2)(iv)(B) to read as follows:

§ 1910.1025 Lead.

* * * * *

- (j) * * *
- (2) * * *

- (iv) * * *

(B) That the standard requires temporary medical removal with Medical Removal Protection benefits when an employee's blood lead level is at or above the numerical criterion for medical removal under paragraph (k)(1)(i) of this section.

* * * * *

■ 22. In § 1910.1030, revise paragraph (i)(5)(iii) to read as follows:

§ 1910.1030 Bloodborne pathogens.

* * * * *

- (i) * * *
- (5) * * *

(iii) The sharps injury log shall be maintained for the period required by 29 CFR 1904.33.

* * * * *

PART 1915—OCCUPATIONAL SAFETY AND HEALTH STANDARDS FOR SHIPYARD EMPLOYMENT

■ 23. The authority citation for part 1915 continues to read as follows:

Authority: 33 U.S.C. 941; 29 U.S.C. 653, 655, 657; Secretary of Labor's Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), 1-90 (55 FR 9033), 6-96 (62

FR 111), 3-2000 (65 FR 50017), 5-2002 (67 FR 65008), 5-2007 (72 FR 31160), or 4-2010 (75 FR 55355), as applicable.

Section 1915.100 also issued under 49 U.S.C. 1801-1819 and 5 U.S.C. 553.

Sections 1915.120 and 1915.152 of 29 CFR also issued under 29 CFR 1911.

Subpart Z—Toxic and Hazardous Substances

■ 24. In § 1915.1000, revise paragraph (d)(1)(ii) to read as follows:

§ 1915.1000 Air contaminants.

* * * * *

- (d) * * *
- (1)(i) * * *

(ii) To illustrate the formula prescribed in paragraph (d)(1)(i) of this section, assume that Substance A has an 8-hour time weighted average limit of 100 ppm noted in Table Z—Shipyards. Assume that an employee is subject to the following exposure:

Two hours exposure at 150 ppm

Two hours exposure at 75 ppm

Four hours exposure at 50 ppm

Substituting this information in the formula, we have

$(2 \times 150 + 2 \times 75 + 4 \times 50) \div 8 = 81.25$

ppm

Since 81.25 ppm is less than 100 ppm, the 8-hour time weighted average limit, the exposure is acceptable.

* * * * *

PART 1926—SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION**Subpart D—Occupational Health and Environmental Controls**

■ 25. The authority citation for subpart D continues to read as follows:

Authority: 40 U.S.C. 3701 *et seq.*; 29 U.S.C. 653, 655, 657; and Secretary of Labor's Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), 1-90 (55 FR 9033), 6-96 (62 FR 111), 3-2000 (65 FR 50017), 5-2002 (67 FR 65008), 5-2007 (72 FR 31160), or 4-2010 (75 FR 55355), as applicable; and 29 CFR 1911.

Sections 1926.58, 1926.59, 1926.60, and 1926.65 also issued under 5 U.S.C. 553 and 29 CFR 1911.

Section 1926.61 also issued under 49 U.S.C. 1801-1819 and 5 U.S.C. 553.

Section 1926.62 of 29 CFR also issued under 42 U.S.C. 4853.

Section 1926.65 of 29 CFR also issued under 29 U.S.C. 655 note, and 5 U.S.C.

■ 26. In Appendix A to § 1926.50, revise the second paragraph to read as follows:

§ 1926.50 Medical services and first aid.

* * * * *

Appendix A to § 1926.50—First Aid Kits (Non-Mandatory)

* * * * *

In a similar fashion, employers who have unique or changing first-aid needs in their workplace may need to enhance their first-aid kits. The employer can use the OSHA 300 log, OSHA 301 log, or other reports to identify these unique problems. Consultation from the local fire/rescue department, appropriate medical professional, or local emergency room may be helpful to employers in these circumstances. By assessing the specific needs of their workplace, employers can ensure that reasonably anticipated supplies are available. Employers should assess the specific needs of their worksite periodically and augment the first aid kit appropriately.

* * * * *

■ 27. In § 1926.62, revise paragraph (j)(2)(iv)(B) to read as follows:

§ 1926.62 Lead.

* * * * *

(j) * * *

(2) * * *

(B) The employer shall notify each employee whose blood lead level is at or above 40 µg/dl that the standard requires temporary medical removal with Medical Removal Protection benefits when an employee's blood lead level is at or above the numerical criterion for medical removal under paragraph (k)(1)(i) of this section.

* * * * *

[FR Doc. 2011-32853 Filed 12-23-11; 8:45 am]

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**MISCELLANEOUS AND TECHNICAL AMENDMENTS TO
PARTS 1910, 1915, 1926 AND 1928**

As adopted by the

Safety and Health Codes Board

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CHANGE VI:	<u>March 7, 2006</u>
CHANGE VII:	<u>June 19, 2006</u>
CHANGE VIII:	<u>December 6, 2006</u>
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CHANGE X:	<u>August 13, 2009</u>
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VIRGINIA OCCUPATIONAL SAFETY AND HEALTH PROGRAM
VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

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